IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 12261 of 2004

Between:

K. Thirupathi Reddy, S/o. Buchi Reddy, R/o. H.No. 20-6/10, Swaroopnagar, Uppal Mandal, R.R. District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Hyderabad - East, R.R. District.
Mozamjahi Market, Hyderabad.
2 The Mandal Revenue Officer, Uppal Mandal, Uppal, R.R. District.
3 The Revenue Inspector, Office of Mandal Revenue Office,
Uppal Mandal, R.R. District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in demolishing/vacating the premises bearing House No. 20-6/10, on Plot No. 102, admeasuring 200 sq. yards covered by Sy. No. 54, situated at Swaroop Nagar, Uppal Mandal, Ranga Reddy District belonging to the petitioner, without giving any prior notice, as illegal, arbitrary, high handed manner and violative of Articles 14 and 21 of the Constitution of India and apart from violative of principles of natural justice and consequently direct the respondents not to demolish/vacate the petitioner's house.

For the Petitioner: MR.K.SATYANARYANA MURTHY, Advocate

For the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue and at their request, the writ petition itself is taken up for final disposal at the admission stage.

Assailing the action of the respondents in trying to evict the petitioner from his house or to demolish it, without giving any prior notice, as illegal and arbitrary, the present writ petition is filed.

The petitioner claims to be owner of the house bearing No.20-6/10 on plot No.102 admeasuring 200 square yards situated in survey No.54 of Swaroop Nagar, Uppal Khalsa village, Uppal Mandal, Ranga Reddy District, having purchased it from one U. Anantha Reddy who constructed the said house on the plot purchased from one Gaddam Bal Reddy and three others under a registered document. It is alleged that the third respondent-Revenue Inspector and his staff came to the house of the petitioner on 14-07-2004 and took measurements, informing orally the wife of the petitioner that they would demolish the house and handover the premises to some third parties as per the orders of the first respondent-Revenue Divisional Officer. Assailing the impugned action of the respondents in trying to demolish the house without giving any prior notice, the present writ petition is filed.

On instructions, the learned Government Pleader for Revenue submitted that the land in question is the subject matter of land grabbing cases in LGC Nos.215/95 to 220/95 and the Special Court under A.P. Land Grabbing Act (for short "Land Grabbing Court") by order dated
24-12-1997 decided ownership of the land holding that the land in survey No.54 belongs to (1) A. Seethamma, (2) A. Dev Raj, (3) A. Srinivas, (4) A. Durga Rao, (5) M. Raja Lingam, (6) M. Somaiah, (7) B. Veeramma, (8) Nagalaxmi, (9) B. Lalitha, (10) Rama Devi, (11) B. Srinivas, (12) Ramesh Kumar, (13) M. Krishna, (14) B. Shankaraiah and others, and pursuant thereto the Special Grade Deputy Collector &

Revenue Divisional Officer, Ranga Reddy East Division was directed to take possession of the said land on behalf of the Government from G. Bal Reddy and others from whom the vendor of the petitioner purchased the land in question, and accordingly the vendor's vendor of the petitioner was declared as land grabber. He also submitted that neither the petitioner nor his vendors have filed appeal against the said orders of the Land Grabbing Court.

Having regard to the submissions made by the learned Government Pleader for Revenue as above, I see no reason to interfere with the order of the Land Grabbing Court, dated 24-12-1997 and more so when the said order has not been challenged by the petitioner or his vendors.

The writ petition has no merit and is accordingly dismissed. No costs.

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N.V. RAMANA, J

Date: 16-7-2004

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To

1 The Revenue Divisional Officer, Hyderabad - East, R.R. District.
Mozamjahi Market, Hyderabad.
2 The Mandal Revenue Officer, Uppal Mandal, Uppal, R.R. District.
3 The Revenue Inspector, Office of Mandal Revenue Office,
Uppal Mandal, R.R. District.

4 Two CCs. to Govt. Pleader for Revenue, High Court Buildings, A.P., Hyderabad (OUT).

5 Two CD copies.